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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DANIEL JOHN MALONE, } Case No. EDCV 08-0602-R (JTL)
Petitioner, } ORDER ADOPTING FINDINGS,
v. } CONCLUSIONS, AND
JAMES A. YATES, Warden, } RECOMMENDATIONS OF UNITED
Respondent. } STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. Section 636, the Court has reviewed the First Amended Petition for Writ of Habeas Corpus, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. The Court concurs with and adopts the findings, conclusions and recommendations of the Magistrate Judge.

IT IS ORDERED that judgment be entered dismissing the First Amended Petition for Writ of Habeas Corpus with prejudice.



DATED: April 2, 2009

MANUEL L. REAL
UNITED STATES DISTRICT JUDGE